

Message Text

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ORIGIN COME-00

INFO OCT-01 EUR-12 ISO-00 DODE-00 EB-08 NSAE-00
USIA-06 TRSE-00 ERDA-05 CIAE-00 ACDA-07 OES-07
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FM SECSTATE WASHDC
TO AMEMBASSY PARIS

C O N F I D E N T I A L STATE 194374

USOECN, EXCON

E.O. 11652: XGDS-1

TAGS: ESTC, COCOM, GW

SUBJECT: GERMAN REQUEST FOR RELEASE OF COCOM DOCUMENTS

REF: A) COCOM DOC.SEC (77)1, B) COCOM DOC.REV (74) 1355/8,
C) COCOM DOC.SEC (74) 5, D) COCOM DOC.SEC (75) 2

1. USDEL MAY CONCUR IN THE RELEASE OF THE 19 COCOM DOCUMENTS
CITED IN REF A. USDEL, HOWEVER, SHOULD PREFACE HIS CONCUR-
RENCE, BOTH TO THE GERDEL AND IN HIS MEMORANDUM TO THE
COMMITTEE IN ANSWER TO REF A, WITH THE FOLLOWING STATEMENT:

"THE US AUTHORITIES ADHERE TO THE GENERAL UNDERSTANDING THAT
COCOM DOCUMENTS AND THE INFORMATION CONTAINED THEREIN SHOULD
REMAIN CONFIDENTIAL AND SHOULD NOT BE RELEASED TO THIRD
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PARTIES. THEY RECOGNIZE, HOWEVER, THAT ON OCCASION MEMBER
GOVERNMENTS MIGHT FIND IT NECESSARY TO RELEASE COMMITTEE
DOCUMENTS TO THIRD PARTIES AS THE RESULT OF, FOR EXAMPLE,
ORDERS FROM THEIR OWN JUDICIAL AND ADMINISTRATIVE OFFICIALS.
IN VIEW OF THE US AUTHORITIES, EACH SUCH OCCASION SHOULD BE
ADDRESSED AD HOC AND CONSIDERED ON THE MERITS OF THE INDI-
VIDUAL SITUATION. THE US AUTHORITIES HAVE REVIEWED THE

DOCUMENTS IN QUESTION AND, IN THIS INSTANCE, CONCUR IN THEIR RELEASE TO THE APPROPRIATE GERMAN COURT. THE US AUTHORITIES HOPE THAT THE GERMAN AUTHORITIES WILL TAKE WHATEVER STEPS NECESSARY TO LIMIT THE USE OF THESE DOCUMENTS AND THE DISCLOSURE OF THEIR CONTENTS."

2. (FYI): WE NOTE THAT TWO OF THE CITED DOCUMENTS MAKE REFERENCE TO A US 1974 LIST REVIEW PROPOSAL (REF B) AND THE GERMAN COURT MAY REQUEST THAT IT BE MADE AVAILABLE FOR USE IN THE LEGAL PROCEEDINGS. WE ARE RELUCTANT TO GIVE PERMISSION IN ADVANCE FOR THE RELEASE OF THAT DOCUMENT SINCE IT MAKES REFERENCE TO EARLIER US PROPOSALS AND THOSE REFERENCED DOCUMENTS IN TURN MAY REFER TO STILL OTHERS. EACH OF THOSE DOCUMENTS WILL HAVE TO BE REVIEWED AND CONSIDERED ON THEIR INDIVIDUAL MERITS. WE HOPE THE GERMAN COURT WILL NOT CALL FOR REF B, BUT IF IT DOES, WE WILL REVIEW THE MATTER THEN. (END FYI)

3. (FYI): WE ARE MINDFUL OF THE US ACTION RE THE IBM ANTI-TRUST SUIT (REF C) AND THE FACT THAT THE CHAIRMAN RAISED THE ISSUE IN REF D AND SUGGESTED A COCOM TEXT TO COVER PROCEDURES IN SUCH SITUATIONS. THE US HAS NOT AS YET EXPRESSED VIEWS ON THIS MATTER AND USDEL SHOULD NOT INTRODUCE THE SUBJECT. IF, HOWEVER, THE ISSUE IS RAISED, WE WILL FURTHER CONSIDER THE MATTER AT THIS TIME.
(END FYI) VANCE
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DOCUMENTS, STRATEGIC TRADE CONTROLS
Control Number: n/a
Copy: SINGLE
Sent Date: 16-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: CSEASWORD:JAS
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Executive Order: X1
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Expiration:
Film Number: D770296-0494
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770856/aaaabvjc.tel
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Locator: TEXT ON-LINE, ON MICROFILM
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Original Classification: CONFIDENTIAL
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Original Previous Classification: n/a
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Reference: n/a
Retention: 0
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Review Content Flags:
Review Date: 03-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
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Review Withdrawn Fields: n/a
SAS ID: 1585648
Secure: OPEN
Status: NATIVE
Subject: GERMAN REQUEST FOR RELEASE OF COCOM DOCUMENTS
TAGS: ESTC, GE, COCOM
To: PARIS
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/83c8f759-c288-dd11-92da-001cc4696bcc
Review Markings:
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